

HOUSE BILL REPORT

HB 1545

As Passed House:
March 9, 2015

Title: An act relating to the safe practice of public health nurses dispensing certain medications.

Brief Description: Encouraging the safe practice of public health nurses dispensing certain medications.

Sponsors: Representatives Robinson, Johnson and Cody.

Brief History:

Committee Activity:

Health Care & Wellness: 2/10/15, 2/17/15 [DP].

Floor Activity:

Passed House: 3/9/15, 62-36.

Brief Summary of Bill

- Allows registered nurses employed by local health departments to dispense drugs or devices for purposes of prevention or treatment of a communicable disease or family planning.

HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

Majority Report: Do pass. Signed by 9 members: Representatives Cody, Chair; Riccelli, Vice Chair; Clibborn, Jinkins, Johnson, Moeller, Robinson, Tharinger and Van De Wege.

Minority Report: Do not pass. Signed by 6 members: Representatives Schmick, Ranking Minority Member; Harris, Assistant Ranking Minority Member; Caldier, DeBolt, Rodne and Short.

Staff: Jim Morishima (786-7191).

Background:

Registered Nurses.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

A registered nurse is a person who performs acts requiring substantial specialized knowledge, judgment, and skill based on the principles of the biological, physiological, behavioral, and sociological sciences in several areas, including:

- the observation, assessment, diagnosis, care or counsel, and health teaching of individuals with illnesses, injuries, or disabilities, or in the maintenance of health or prevention of illness of others;
- the administration, supervision, delegation, and evaluation of nursing practice;
- the teaching of nursing; and
- the execution of a medical regimen as prescribed by a physician, dentist, osteopathic physician, podiatric physician, physician assistant, osteopathic physician assistant, or advanced registered nurse practitioner (or as directed by a licensed midwife within his or her scope of practice).

A registered nurse may administer a drug (apply the drug directly to the patient), but is not authorized to dispense a drug (prepare a drug for delivery).

Local Health Jurisdictions.

Public health generally consists of five categories of activities: preventing and responding to communicable disease, protecting people from environmental health threats, assessing health status, promoting health and preventing chronic disease, and accessing health services.

Public health services are provided primarily by a decentralized system of 35 local health jurisdictions, the Department of Health, and the Washington State Board of Health. Each local health jurisdiction must appoint a local health officer, who must be an experienced physician or osteopathic physician who has a Master of Public Health degree or equivalent.

Expedited Partner Therapy.

Expedited Partner Therapy is the practice of providing medications to a patient infected with chlamydia or gonorrhea to take to his or her partner without examination of the partner. The federal Centers for Disease Control and Prevention has concluded that Expedited Partner Therapy is "a useful option to facilitate partner management, particularly for treatment of male partners of women with chlamydial infection or gonorrhea."

Summary of Bill:

A registered nurse may dispense a drug or device for purposes of prevention or treatment of communicable disease or family planning if:

- the registered nurse is employed by a local health department or district or a clinic or facility under contract with a local health department or district; and
- the drug or device is being dispensed pursuant to the order of a person authorized to prescribe a drug or device.

The local health officer must establish policies and procedures that include maintenance of drug records and procedures for drug dispensing, documentation storage, security, and accountability.

Each drug dispensed must be accompanied by a drug information fact sheet and be in a container complying with the Federal Poison Prevention Packaging Act, unless the patient requests a non-complying container. Every drug dispensed must be labeled with:

- the name of the patient;
- the name of the prescriber;
- the name, address, and phone number of the clinic;
- the date of dispensing;
- the name and strength of the drug or, if the drug does not have a brand name, the generic name of the drug and the manufacturer;
- directions for use;
- the initials of the dispenser;
- cautionary statements as required by law; and
- the manufacturer's expiration date (or an earlier date).

Repackaged drugs must be in a container meeting United States Pharmacopeia standards. Repackaged drugs must identify the brand name or generic name and manufacturer, strength, lot number, and manufacturer expiration date (or an earlier date). An internal control number that references manufacturer and lot number may be used.

When the registered nurse or other dispensing practitioner is absent, the drugs must be kept in a locked drug cabinet or drug room that is sufficiently secure to deny access to anyone except the registered nurse or dispensing practitioner. The drugs must be stored in areas that will assure proper sanitation, temperature, light, ventilation, and moisture control as recommended by the manufacturer. Drugs that are outdated, damaged, deteriorated, misbranded, or adulterated must be quarantined until they are destroyed or returned to the manufacturer. All records of receipt or disposal of drugs must be kept for three years.

A dispensing record must be maintained separately from the patient's chart and must be kept for at least three years. The record must show:

- the patient's name;
- the brand name of the drug, or generic name and name of manufacturer or distributor;
- the amount dispensed;
- the date; and
- the initials of the dispenser.

All of the records pertaining to drug dispensing must be readily retrievable for inspection by the Board of Pharmacy.

If a drug is dispensed in the practice of the Expedited Partner Therapy, the name of the patient may be omitted from the label, the patient's name may be omitted from the records, and a drug may be dispensed to the patient to be given to the patient's partner even if the partner has not been examined by a licensed health care provider acting within his or her scope of practice.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Public health nurses and physicians are always engaged whenever there is a public health crisis. This bill will allow local health jurisdictions to be more efficient and affirms current practice. The bill will help local health jurisdictions to control communicable disease and provide access. The bill will also help local health jurisdictions to rapidly respond to health threats.

(Opposed) None.

Persons Testifying: Representative Robinson, prime sponsor; and Brad Banks, Washington State Association of Local Public Health Officials.

Persons Signed In To Testify But Not Testifying: None.